

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2026, Legislative Day No. 16

Bill No. 71-26

Introduced by Mr. Volke

By the County Council, September 8, 2026

Introduced and first read on September 8, 2026
Public Hearing set for October 5, 2026
Bill Expires on November 1, 2026

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Neighborhood Preservation and Environmental Protection
2 Act
3

4 FOR the purpose of exempting required open area from the modification process; reverting
5 certain density requirements to be net density; modifying a certain plat dedication to
6 require offsite open area to be nearest to the subdivision; modifying certain open and
7 active recreation area requirements; modifying the definition of attached dwelling;
8 modifying active recreation area requirements; modifying certain allowed and
9 prohibited uses in the Parole Town Center; removing definitions of and references to
10 triplex, fourplex, multiplex and stacked townhouse dwelling units; modifying the
11 definitions of duplex and multifamily dwelling; adding a definition of semi-detached
12 dwelling; modifying certain parking requirements and bulk regulations regarding
13 certain dwelling types; modifying certain bulk regulations in certain zoning districts;
14 removing triplex, fourplex, multiplex and stacked townhouse dwelling units as
15 allowable uses in all zoning districts, and the Commercial Revitalization Area Overlay;
16 removing multifamily dwellings as a conditional use in certain residential districts;
17 making duplex and semi-detached dwellings a special exception use or permitted use
18 in certain residential and Odenton Town Center zoning districts; removing duplex
19 dwellings as a permitted use in mixed use zoning districts; removing the conditional
20 use requirements for a multifamily dwelling in certain residential districts; removing
21 the conditional use requirements for triplex, fourplex, multiplex and stacked townhouse
22 dwellings; establishing conditional use and special exception use requirements for
23 duplex and semi-detached dwellings; modifying the special exception use requirements
24 for an assisted living facility; modifying the density bonus permitted in certain

EXPLANATION: CAPITALS indicate new matter added to existing law and taglines.
[[Brackets]] indicate matter deleted from existing law and taglines.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Asterisks *** indicate existing Code provisions in a list or chart that remain unchanged.

circumstances; making certain technical and stylistic changes; and generally relating to public works, subdivision and development, and zoning.

BY renumbering: §§ 18-11-124 through 18-11-167 to be §§ 18-11-125 through 18-11-168, respectively
Anne Arundel County Code (2005, as amended)

BY repealing and reenacting, with amendments: §§ 13-7-101(1); 17-2-108(a); 17-3-302(6) and (9); 17-6-111; 17-7-905(a)(2); 18-1-101(52); 18-3-104; 18-4-106; 18-4-301; 18-4-104(a); 18-4-501; 18-4-601; 18-4-701; 18-4-801(a); 18-4-901(a); 18-4-1001; 18-5-102; 18-8-301(b); 18-8-303(a); 18-9-103(b); 18-10-126(5); 18-10-127; 18-10-129; 18-10-130; 18-11-104(6) and (11); 18-11-134; 18-12-303(c); 18-12-701; 18-14-303(c); 18-14-503(a)
Anne Arundel County Code (2005, as amended)

BY adding: § 18-11-124
Anne Arundel County Code (2005, as amended)

SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,* That §§ 18-11-124 through 18-11-167 of the Anne Arundel County Code are hereby numbered to be §§ 18-11-125 through 18-11-168, respectively, of the Anne Arundel County Code.

SECTION 2. *And be it further enacted,* That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 13. PUBLIC WORKS

TITLE 7. WATERSHED PROTECTION AND RESTORATION PROGRAM

13-7-101. Definitions.

In this title, the following words have the meanings indicated.

(1) “Attached dwelling” means a duplex[, triplex, fourplex, multiplex, stacked townhouse] or townhouse as these dwelling types are defined in § 18-1-101 of this Code.

ARTICLE 17. SUBDIVISION AND DEVELOPMENT

17-2-108. Modifications.

(a) **Generally.** The Planning and Zoning Officer may approve an application for a modification to any provision of this article other than § 17-2-107, § 17-6-111(B), or one contained in Titles 5, 8, or 9, except as allowed by §§ 17-5-203(b), 17-5-205(b), 17-8-201(b), 17-8-203(c), 17-8-403, 17-8-601(b)(2), 17-8-601(c), 17-8-901, or 17-9-401, and to any applicable regulations, manuals, or specifications, including the DPW Design Manual, upon making specific findings, enumerated in writing, that the modification request satisfies each of the following criteria:

1 ***

2
3 **TITLE 3. SUBDIVISION**

4
5 **17-3-302. Contents of proposed record plat.**

6
7 A proposed record plat shall be on an 18" x 24" mylar sheet with a 1½" margin at the
8 left edge, and shall contain the following:

9
10 (6) a tabulation below the general notes that includes the total number of lots; the
11 current zoning of the property; the NET density of the site; the density of any bulk parcel;
12 and the gross and net area of the site, each lot, open space, open area, recreation area,
13 floodplain, public road rights-of-way, and private road rights-of-way;

14
15 ***

16
17 (9) for a residential subdivision in which open area is required, one of the following
18 paragraphs within the dedication:

19
20 The open area shown on this record plat is conveyed to Anne Arundel County,
21 Maryland, by deed to be set aside for public use, such lands being deeded to Anne
22 Arundel County, Maryland, or the State of Maryland, as may be appropriate, before
23 or with the recordation of this plat.

24
25 or

26
27 The open area shown on this record plat is set aside for the use of the residents of
28 the subdivision and is conveyed to _____
29 [insert name of incorporated homeowners' association] before or with the
30 recordation of this plat.

31 or

32
33 In lieu of setting aside open area, the owner(s) has/have paid a fee to Anne Arundel
34 County, Maryland for the County's acquisition, creation, maintenance, and
35 administration of AN offsite open area NEAREST THE SUBDIVISION.

36
37 **TITLE 6. GENERAL DEVELOPMENT PROVISIONS**

38
39 **17-6-111. Open area; active recreation area.**

40
41 ***

42
43 (b) **Required open area generally.** [[Unless the Planning and Zoning Officer grants a
44 modification to allow a reduction in the amount of required open area, a]] A minimum of
45 [[20%]] 30% of the gross area of a residential site [[minus any floodplain areas]], and
46 excluding the area of transmission line easements, shall be provided as open area. Wetlands
47 and stream buffers, forest conservation easements, stormwater management or drainage
48 facility easements, inlets, outfalls, stormwater management credit areas, and steep slopes
49 [[shall]] MAY be located in the open area on a site.

(c) **Required ~~[[active]]~~ recreation area generally.** Unless the Planning and Zoning Officer under subsection ~~[[g)]]~~ (F) requires the developer to pay a fee in lieu of ~~[[active]]~~ recreation area, a single-family detached, duplex, ~~[[triplex, fourplex,]]~~ SEMI-DETACHED, OR townhouse~~[[, or stacked townhouse]]~~ subdivision shall have at least ~~[[350]]~~ 1,000 square feet of ~~[[active]]~~ recreation area for each dwelling unit. A multifamily ~~[[or multiplex]]~~ subdivision shall provide 10% of the net area of the site as ~~[[active]]~~ recreation area. AT LEAST 50% OF THE REQUIRED RECREATION AREA SHALL BE RESERVED FOR ACTIVE RECREATION, SUCH AS SHARED-USE PATHS, TENNIS COURTS, SWIMMING AND BOATING AREAS, PLAYGROUNDS, AND PLAYFIELDS. THE REMAINDER OF THE RECREATION AREA MAY BE PASSIVE RECREATION AREA AND MAY BE ENCUMBERED BY FOREST CONSERVATION EASEMENTS THAT PERMIT MINIMAL DISTURBANCE FOR TRAILS, STORMWATER MANAGEMENT AREAS, OR ENVIRONMENTALLY SENSITIVE AREAS. ~~[[Active recreation]]~~ RECREATION area shall be located within the required open area, but may not be located within floodplains, wetland and stream buffers, forest conservation easements, stormwater management or drainage facility easements, inlets, outfalls, stormwater management credit areas, or steep slopes.

~~[[d)]]~~ Offsite active recreation area.

(1) (i) For a development with 20 dwelling units or less, the required active recreation area may be fulfilled by an offsite park if approved by the Planning and Zoning Officer after considering comments from the Department of Recreation and Parks.

(ii) For a development with more than 20 dwelling units, the required active recreation area may be fulfilled by an offsite park through approval of a modification by the Planning and Zoning Officer after considering comments from the Department of Recreation and Parks.

(2) For all developments, an offsite park must:

(i) be owned by a public entity and be available for public use;

(ii) be located within one-quarter mile of the proposed development and safely accessible by pedestrians from the proposed development without crossing any road other than one local road; and

(iii) provide active recreation amenities, such as ball fields, courts, swimming pools, playgrounds, picnic areas, trails, or similar amenities.]]

~~[[e)]]~~ (D) **Characteristics of ~~[[active]]~~ recreation area generally.** ~~[[Active recreation]]~~ A RECREATION area:

(1) shall be designed to demonstrate ADA accessibility to the maximum extent practicable, and may not include parking lot islands, transmission line easements, or strips with a width of less than 20 feet, other than shared-use paths;

(2) shall be integrated into the design to create focal points along roads and at entrances;

1 (3) shall be square or rectangular in shape, to the extent practical, and suitable for
2 recreation uses such as tot lots, ball fields, and courts, or for recreation in formal parks and
3 squares;

4
5 (4) shall have at least 15 feet of frontage on a public or private road;

6
7 (5) shall be [[centrally located among the lots it serves]] ACCESSIBLE BY A PAVED
8 ROADWAY[[]];

9
10 (6) shall be equitably distributed into two areas if the subdivision or site contains at
11 least 50 residential lots or contains at least 50 residential units[[]]; and

12
13 [[(7)]] (6) may include shared-use paths, which are not subject to the restrictions set
14 forth in paragraphs (1) through [[(6)]] (5).

15
16 [[(f)]] (E) **Conveyance or dedication.** At the discretion of the County and to the full
17 extent allowed by law, the County may require a developer to convey fee simple title of
18 open area to the County without charge. Alternatively, if the property is adjacent to an
19 existing State park and the State agrees to accept title, the County may require conveyance
20 of open area to the State. If open area is not conveyed to the County or the State, a developer
21 shall convey open area in fee simple to, as applicable: an incorporated homeowners
22 association a residential subdivision; an association of condominium owners for a
23 condominium development; or a sole owner for a rental facility. Before recordation of the
24 proposed record plat, the Office of Planning and Zoning and the Office of Law shall review
25 and approve all documents deemed necessary to ensure that membership in the
26 homeowners association or condominium association is mandatory and automatic upon
27 conveyance of title to any lot or unit in the subdivision and that the maintenance of open
28 area owned by the homeowners association is guaranteed. The conveyance to the
29 homeowners association or condominium association shall be concurrent with the
30 recording of the proposed record plat.

31
32 [[(g)]] (F) **Fee in lieu.**

33
34 (1) A development containing ten or less dwelling units may pay a fee in lieu of
35 providing active recreation area.

36
37 (2) For a development containing more than ten units, the Planning and Zoning
38 Officer may require a developer to pay a fee in lieu of providing active recreation area if
39 the Planning and Zoning Officer determines that land is not of significant quality or size
40 for community purposes.

41
42 (3) The fees shall be used to provide public recreation areas and facilities AT AN
43 AVAILABLE LOCATION NEAREST THE DEVELOPMENT in the County.

44
45 [[(h)]] (G) **Characteristics of open area.** Open area shall contain the active recreation
46 areas, environmentally sensitive areas, and stormwater management areas identified in the
47 preliminary plan and sketch plan. These areas shall be incorporated into the site design to
48 maximize views and accessibility from proposed dwelling units and public spaces. To the
49 maximum extent practicable, open area shall be located so as to augment land on adjacent

property that has previously been identified as open space, open area, conservation or preservation areas, or that has been identified by the Office of Planning and Zoning as possible future open area, conservation or preservation areas. The developer shall integrate open area into the site design to maximize environmental protections while creating quality community and public spaces.

[[i]] (H) **Design of bikeways and shared-use paths.** Bikeways and shared-use paths shall be designed to be available for use by all lot or unit owners in the development and in accordance with the Design Manual.

TITLE. 7. DEVELOPMENT REQUIREMENTS FOR PARTICULAR TYPES OF DEVELOPMENT

17-7-905. Allowed uses; prohibited uses; conditions.

(a) Uses allowed.

(2) Regardless of whether allowed in the underlying zoning district, the following uses are:

(i) permitted uses:

1. dwelling, townhouse [[and dwelling, stacked townhouse]];

(ii) conditional uses, subject to the conditions set forth:

3. dwellings, SEMI-DETACHED AND duplex, may be part of development with townhouses, and shall constitute no more than 10% of the total number of dwelling units.

ARTICLE 18. ZONING

TITLE 1. DEFINITIONS

18-1-101. Definitions.

Unless defined in this article, the Natural Resources Article of the State Code, or COMAR, words defined elsewhere in this Code apply in this article. The following words have the meanings indicated:

(52) “Dwelling unit” means a single unit, including attached garages and decks, providing complete, independent living facilities for at least one person, including permanent KITCHEN FACILITIES AND provisions for sanitation, [[cooking, eating,]]

1 sleeping, and other activities routinely associated with daily life. The following
2 ~~[[variations]]~~ CLASSIFICATIONS of “dwelling” AND “DWELLING UNITS” have the meanings
3 indicated:
4

5 (i) “Dwelling, duplex” means a structure that contains two dwelling units
6 ~~[[arranged side-by-side or]]~~ one ~~[[above]]~~ ON TOP OF the other.
7

8 ~~[[ii]]~~ (ii) “Dwelling, fourplex” means a structure that contains four dwelling units with
9 each unit separated horizontally or vertically from another dwelling unit by a common wall
10 or partition.
11

12 ~~[[iii]]~~ (II) “Dwelling, marina caretaker’s residence” means a dwelling for the sole
13 purpose of housing a person directly involved in the custodial, managerial, or operational
14 aspects of a marina.
15

16 ~~[[iv]]~~ (III) “Dwelling, multifamily” means a structure that IS NOT A DUPLEX, SEMI-
17 DETACHED, OR TOWNHOUSE STRUCTURE AND THAT contains ~~[[twelve]]~~ THREE or more
18 dwelling units ~~[[with each unit separated horizontally or vertically from another dwelling~~
19 ~~unit by a common wall or partition and with each unit having access from an interior~~
20 ~~corridor system]]~~ LOCATED BACK TO BACK, ADJACENT TO EACH OTHER, OR ONE OF TOP
21 OF THE OTHER.
22

23 ~~[[v]]~~ (v) “Dwelling, multiplex” means a structure that contains between five and eleven
24 dwelling units with each unit separated horizontally or vertically from another dwelling
25 unit by a common wall or partition and having access from an interior corridor system.
26

27 (IV) “DWELLING, SEMI-DETACHED” MEANS A STRUCTURE THAT CONTAINS TWO
28 DWELLING UNITS SIDE BY SIDE WITH A COMMON WALL.
29

30 ~~[[vi]]~~ (V) “Dwelling, single-family detached” means a structure that contains one
31 dwelling unit used as a principal dwelling and entirely separated from any other structure
32 on all sides.
33

34 ~~[[vii]]~~ (vii) “Dwelling, stacked townhouse” means a structure that contains four or more
35 dwelling units arranged over and under or back-to-back with each unit separated
36 horizontally or vertically from another dwelling unit by a common wall or partition and
37 with each unit having separate access directly to the exterior of the structure or to a garage
38 or small egress landing.
39

40 ~~[[viii]]~~ (VI) “Dwelling, townhouse” means a structure that contains at least three
41 and no more than eight dwelling units side by side with each unit separated by a common
42 wall or partition, and with each unit having separate access directly to the exterior of the
43 structure.
44

45 ~~[[ix]]~~ (ix) “Dwelling, triplex” means a structure that contains three dwelling units with
46 each unit separated horizontally or vertically from another dwelling unit by a common wall
47 or partition.
48

49 (VII) “DWELLING UNIT, ABUTTING HEAVY INDUSTRIAL ZONE” MEANS A DWELLING
50 UNIT APPROVED PURSUANT TO § 17-3-505 OF THIS CODE.

1 [[(x)]] (VIII) “Dwelling unit, accessory” means a smaller dwelling unit located on
2 the same lot as a principal single-family detached dwelling.

3
4 [[(xi)]] (IX) “Dwelling unit, adult independent” means a dwelling unit of any type
5 that is occupied by at least one person who is 55 years of age or older and resident minor
6 children are prohibited.

7
8 [[(xii)]] (X) “Dwelling unit, apartment” means a single dwelling unit in conjunction
9 with another allowed use in the zoning district.

10
11 [[(xiii)]] (X) “Dwelling unit, abutting heavy industrial zone” means a dwelling unit
12 approved pursuant to § 17-3-505 of this Code.]]

13
14 [[(xiv)]] (XI) “Dwelling unit, cottage home” means a structure that contains one
15 detached dwelling unit used as a principal dwelling and that contains no more than 800
16 square feet of floor area that is built on a permanent foundation and constructed according
17 to all building and life safety codes.

18 **TITLE 3. PARKING, OUTDOOR LIGHTING, AND SIGNAGE**

19 **18-3-104. Parking space requirements.**

20
21 The minimum onsite required parking spaces are listed in the chart below. They may
22 be increased based on site development plan review or special exception approval, reduced
23 as provided in § 18-3-105, or superseded by a parking program allowed by this Code. The
24 Planning and Zoning Officer may determine reasonable and appropriate onsite parking
25 requirements for structures and land uses that are not listed on the chart based on
26 requirements for similar uses, comments from reviewing agencies, and the parking needs
27 of the proposed use.
28
29
30

Use	Parking

Dwellings: [[townhouses and stacked townhouses]] TOWNHOUSE	2.5 spaces for each dwelling unit
Dwellings: single-family detached, SEMI-DETACHED, AND duplex[[, triplex, and fourplex]]	2 spaces for each dwelling unit

Dwellings, multifamily [[and multiplex]]	
Efficiency and 1 bedroom	1 space for each dwelling unit
2 bedrooms	1.5 spaces for each dwelling unit
3 or more bedrooms	2 spaces for each dwelling unit

31 **TITLE 4. RESIDENTIAL DISTRICTS**

32 **18-4-106. Permitted, conditional, and special exception uses.**

The permitted, conditional, and special exception uses allowed in each of the residential districts are listed in the chart in this section using the following key: P = permitted use; C = conditional use; SE = special exception use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article, uses and structures customarily accessory to the listed uses also are allowed, except that guest houses as accessory structures are prohibited and outside storage as an accessory use is limited to the lesser of 10% of the allowed lot coverage or 500 square feet.

[[Permitted, Conditional, and Special Exception]] Uses	RA	RLD	R1	R2	R5	R10	R15	R22

Dwellings, duplex AND SEMI-DETACHED			[[C]]	[[C]] SE	C	[[C]] P	[[C]] P	
[[Dwellings, fourplex]]				[[C]]	[[C]]	[[C]]	[[C]]	[[C]]
Dwellings, multifamily			[[C]]	[[C]]	[[C]]	P	P	P
[[Dwellings, multiplex]]					[[C]]	[[C]]	[[C]]	[[C]]
Dwellings, single-family detached	P	P	P	P	P	P	P	
Dwellings, TOWNHOUSE [[townhouses and stacked townhouses]]			C	C	C	C	C	C
[[Dwellings, triplex]]				[[C]]	[[C]]	[[C]]	[[C]]	[[C]]

18-4-301. Bulk regulations.

Except as provided otherwise in this article, the following bulk regulations are applicable in an RA District:

Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	

Side and rear lot lines	15 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities accessory to single-family

	detached[[, duplex, or semi-detached]] dwellings), 10 feet

Cluster development:	

Minimum setbacks from side and rear lot lines for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height	10 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities accessory to single-family detached[[, duplex, or semi-detached]] dwellings), 5 feet

18-4-401. Bulk regulations.

(a) Generally.

(1) Except as provided otherwise in this article, the following bulk regulations are applicable in an RLD District:

Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	

Side and rear lot lines	20 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities accessory to single-family detached[[, duplex, or semi-detached]] dwellings), 10 feet

Cluster development:	

Minimum setbacks from side and rear lot lines for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height	10 feet or, for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities accessory to single-family detached[[, duplex, or semi-detached]] dwellings), 5 feet

18-4-501. Bulk regulations.

Except as provided otherwise in this article, the following bulk regulations are applicable in an R1 District:

Minimum lot size	30,000 square feet[; or 15,000 for side by side duplex]
Maximum coverage by structures	[[50%]] 25% of gross area

[[Minimum width at front building restriction line for duplex if located on more than one lot; for waterfront lots the building restriction line is measured from the rear lot line]]	[[40 feet]]
Minimum setbacks for principal structures:	

[[Side lot line for duplex dwellings on separate lots]]	[[0 foot shared lot line, 15 feet side lot line]]
Corner side lot line	35 feet for [[single family]] SINGLE-FAMILY detached[; or 25 feet for duplex]

Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	

Corner side lot line	35 feet for single family detached[; or 25 feet for duplex]

Maximum NET density	One dwelling unit per 40,000
Maximum NET density for adult independent dwelling units served by public sewer and located within a two-mile radius of an assisted living facility or a County owned and operated library or community center	Three dwelling units per acre

18-4-601. Bulk regulations.

Except as provided otherwise in this article, the following bulk regulations are applicable in an R2 District:

Minimum lot size:	

Duplex and [[fourplex]] SEMI-DETACHED dwellings on separate lots	5,000 square feet
Maximum coverage by structures	[[60%]] 30% of gross area

[[Minimum width at front building restriction line for duplex if located on more than one lot; for waterfront lots, the building restriction line is measured from the rear lot line]]	[[35 feet]]

Minimum setbacks for principal structures:	

[[Side lot line for duplex dwellings on separate lots]]	[[0 foot shared lot line, 7 feet side lot line]]

Maximum NET density:	

Maximum NET density for adult independent dwelling units served by public sewer and located within a two-mile radius of an assisted living facility or a County owned and operated library or community center	Five dwelling units per acre
Cluster development:	

Minimum width at front building restriction line	50 feet
MINIMUM WIDTH AT FRONT BUILDING RESTRICTION LINE FOR DUPLEX AND SEMI-DETACHED IF LOCATED ON MORE THAN ONE LOT; FOR WATERFRONT LOTS, THE BUILDING RESTRICTION LINE IS MEASURED FROM THE REAR LOT LINE	35 FEET
Minimum setbacks for principal structures:	

Side lot lines	7 feet
SIDE LOT LINES FOR DUPLEX AND SEMI-DETACHED DWELLINGS ON SEPARATE LOTS	0 FOOT SHARED LOT LINE, 7 FEET SIDE LOT LINE

18-4-701. Bulk regulations.

Except as provided otherwise in this article, the following bulk regulations are applicable in an R5 District:

Maximum coverage by structures	[[65%]] 40% of gross area
[[Minimum width at front building restriction line for duplex if located on more than one lot; for waterfront lots, the building restriction line is measured from the rear lot line]]	[[25 feet]]
Minimum setbacks for principal structures:	

[[Side lot line for duplex dwellings on separate lots]]	[[0 foot shared lot line, 7 feet side lot line]]

Maximum height limitations:	

[[Multifamily and multiplex dwellings]]	[[50 feet]]

Maximum NET density	Five dwelling units per acre
Maximum NET density for adult independent dwelling units served by public sewer and located within a two-mile radius of an assisted living facility or a County owned and operated library or community center	Six dwelling units per acre
Cluster development:	

Minimum width at front building restriction line	40 feet
MINIMUM WIDTH AT FRONT BUILDING RESTRICTION LINE FOR DUPLEX AND SEMI-DETACHED IF LOCATED ON MORE THAN ONE LOT; FOR WATERFRONT LOTS, THE BUILDING RESTRICTION LINE IS MEASURED FROM THE REAR LOT LINE	25 FEET
Minimum setbacks for principal structures:	

Side lot lines	7 feet
SIDE LOT LINES FOR DUPLEX AND SEMI-DETACHED DWELLINGS ON SEPARATE LOTS	0 FOOT SHARED LOT LINE, 7 FEET SIDE LOT LINE

18-4-801. Bulk regulations.

(a) **Generally.** Except as provided otherwise in this article, the following bulk regulations are applicable in an R10 District:

Maximum coverage by structures AND PARKING	[[75%]] 40% of gross area
Minimum setbacks for principal structures:	

[[Single family]] SINGLE-FAMILY detached, SEMI-DETACHED, AND duplex[[, triplex, fourplex, and multiplex]] dwellings:	

Side lot line for duplex AND SEMI-DETACHED dwellings on separate lots	0 foot shared lot line, 7 feet side lot line

Maximum height limitations:	

[[Multiplex dwellings]]	[[50 feet]]
[[Single family]] SINGLE-FAMILY detached, SEMI-DETACHED AND duplex[[, triplex, and fourplex]] dwellings	50 feet

Maximum NET density	10 dwelling units per acre

18-4-901. Bulk regulations.

(a) **Generally.** Except as provided otherwise in this article, the following bulk regulations are applicable in an R15 District:

Maximum coverage by structures AND PARKING	[[75%]] 45% of gross area
Minimum setbacks for principal structures:	

Side lot line for duplex AND SEMI-DETACHED dwellings on separate lots	0 foot shared lot line, 7 feet side lot line

Maximum height limitations:	

[[Multiplex dwellings]]	[[50 feet]]
[[Single family]] SINGLE-FAMILY detached, SEMI-DETACHED AND duplex[[, triplex, and fourplex]] dwellings	50 feet

Maximum NET density	15 dwelling units per acre

18-4-1001. Bulk regulations.

Except as provided otherwise in this article, the following bulk regulations are applicable in an R22 District:

Maximum coverage by structures AND PARKING	[[75%]] 45% of gross area

Maximum height limitations:	

[[Multiplex dwellings]]	[[50 feet]]
[[Single family detached, SEMI-DETACHED, AND duplex, triplex, and fourplex dwellings]]	[[50 feet]]

Maximum NET density	22 dwelling units per acre

TITLE 5. COMMERCIAL DISTRICTS**18-5-102. Permitted, conditional, special exception, and business complex auxiliary uses.**

The permitted, conditional, and special exception uses allowed in each of the commercial districts, and uses auxiliary to a business complex, are listed in the chart in this section using the following key: [[P=permitted use]] P = PERMITTED USE; C = conditional use; SE = special exception use; and A = auxiliary to a business complex use. A blank means that the use is not allowed in the district. Except as provided otherwise in this article,

uses and structures customarily accessory to permitted, conditional, and special exception uses also are allowed.

[[Permitted, Conditional, Special Exception, and Business Complex Auxiliary]] Uses	C1	C2	C3	C4

[[Dwellings, fourplex]]	[[C]]	[[C]]	[[C]]	
Dwellings, multifamily	C	C	C	C
[[Dwellings, multiplex]]	[[C]]	[[C]]	[[C]]	
Dwellings, TOWNHOUSE [[townhouses and stacked townhouses]]	C	C	C	C
[[Dwellings, triplex]]	[[C]]	[[C]]	[[C]]	

TITLE 8. MIXED USE DISTRICTS

18-8-301. Permitted **[[uses]]; conditional; AND SPECIAL EXCEPTION uses.**

(b) **Categories in chart.** The following chart divides the uses allowed under the optional method of development into the categories of residential, retail and service, office, light industrial, civic/institutional, and other uses, and the uses are subject to the requirements described in § 18-8-302.

Uses	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Residential					

[[Dwellings, duplex]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]
[[Dwellings, fourplex]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]
Dwellings, multifamily	P	P	P	P	P
[[Dwellings, multiplex]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]
Dwellings, single-family detached	P	P	P	P	
Dwellings, TOWNHOUSE [[townhouses and stacked townhouses]]	P	P	P	P	P
[[Dwellings, triplex]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]

18-8-303. Bulk regulations; open area and parking requirements.

(a) **Bulk regulations.** Except as provided otherwise in this article, the following bulk regulations are applicable in a mixed use district:

Bulk Regulations	MXD-V	MXD-G	MXD-N	MXD-S	MXD-U
Maximum residential NET density (units/per acre)	7	10	15	22	44

TITLE 9. OTHER ZONING DISTRICTS

18-9-103. Uses.

(b) **Use chart.** The permitted, conditional, and special exception uses allowed in each of the Odenton Town Center Districts and Historic Village Mix Block are listed in this section using the following key: P = permitted use; C = conditional use; SE = special exception use. A blank means the use is not allowed in the district or the Historic Village Mix Block.

Uses	OTC-C	OTC-T	OTC-I	OTC-E	OTC-FM	OTC-H	Historic Village Mix Block
Residential							

Dwellings, duplex AND SEMI-DETACHED	P	P	P	P	P	P	P
[[Dwellings, fourplex]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]		
Dwellings, multifamily	P	P	P	P	P		
[[Dwellings, multiplex]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]		
Dwellings, single-family detached		P	P	P	P	P	P
Dwellings, townhouse [[and stacked townhouse]]	P	P	P	P	P		P
[[Dwellings, triplex]]	[[P]]	[[P]]	[[P]]	[[P]]	[[P]]		

TITLE 10. REQUIREMENTS FOR CONDITIONAL USES

18-10-126. Dwelling units, adult independent.

Adult independent dwelling units in a commercial district shall comply with all of the following requirements:

- (5) The maximum NET density shall be 22 dwelling units per acre.

18-10-127. Dwellings, [[duplexes, triplexes, fourplexes, and multiplexes]] DUPLEX AND SEMI-ATTACHED.

[(1) Density.

(i) Except as provided in paragraph (ii), triplex, fourplex, and multiplex dwelling density may not exceed 12 units per acre in a C1 district, 22 units per acre in a C2 district, or 15 units per acre in a C3 district.

(ii) Except as provided in paragraph (iii), for redevelopment under Title 7 of Article 17 of this Code in a critical economic, critical corridor, transit oriented development policy area, a mixed use overlay policy area, or a corridor revitalization and redevelopment overlay policy area, as defined in the County's General Development Plan, triplex, fourplex, and multiplex density may not exceed 22 units per acre in a C1, C2, or C3 district.

(iii) Paragraph (ii) shall not apply to properties located in:

1. a critical corridor policy area if a portion of the critical policy area is designated as mixed use planned land use and the area is recommended for a sector plan or study in a region plan adopted between May 4, 2024 and December 31, 2024;

2. region planning areas 8 and 9 of the County's Plan 2040 General Development Plan; and

3. a critical corridor policy area that, as of January 1, 2025, is located in region planning area number 5 of the County's Plan 2040 General Development Plan and councilmanic district number 7.

(2) **Utilities.** The development shall be served by public water and sewer.

(3) **Distances between structures.** Minimum distances between structures located on the same lot (closest projecting edge) are contained in the following chart.

Side façade to side façade	14 feet
Rear façade to rear or front façade	20 feet
Rear façade to side façade	15 feet
Front façade to side façade	20 feet]]

A DUPLEX OR SEMI-DETACHED DWELLING SHALL BE IN A CLUSTER DEVELOPMENT IN ACCORDANCE WITH THE REQUIREMENTS OF THE DISTRICT IN WHICH THE USE IS LOCATED.

18-10-129. Dwellings, multifamily.

[(1) Commercial districts.]] Multifamily dwellings in a commercial district shall comply with all of the following requirements.

(i) Except as provided in paragraphs (iii) and (iv), NET density may not exceed:

District	Dwelling Units per Acre
C1	12
C2	22

C3	15
C4	15

(iii)1. Except as provided in paragraph 3., for redevelopment under Title 7 or Article 17 of this Code in a critical economic, critical corridor, transit oriented development policy area, a mixed use overlay policy area, or a corridor revitalization and redevelopment overlay policy area, as defined in the County's General Development Plan, NET density may not exceed 22 units per acre in a C1, C2 or C3 district.

[(2) Residential districts. Multifamily dwellings in R1, R2, and R5 districts shall comply with the following requirements:

(i) multifamily dwelling units shall be adult independent dwelling units;

(ii) the development shall be served by public water and sewer; and

(iii) the bulk regulations contained in the following chart shall be met.

Maximum coverage by structures and parking	In accordance with the requirements of the district in which the development is located
Minimum setbacks for principal structures:	
Front lot line	20 feet
Side lot line	15 feet
Corner side lot lines	20 feet
Rear lot line	30 feet
Minimum distance between multifamily structures located on the same lot (closest projecting edge):	
Facades with windows	30 feet
Facades that are windowless	15 feet
Minimum setbacks for accessory structures other than sheds that do not exceed 64 square feet in area and eight feet in height:	
Side and rear lot lines	7 feet or 5 feet for structures less than 8 feet in height (other than swimming pools, tennis courts, basketball courts, and similar private recreational facilities)
Corner side lot line	15 feet
Maximum height limitations:	
Principal structures	45 feet
Accessory structures	20 feet or the height of the principal structure, whichever is less

Maximum length of a single elevation	200 feet
Maximum density	In accordance with the requirements of the district in which the development is located]]

18-10-130. Dwellings, [[townhouses and stacked townhouses]] TOWNHOUSE.

Townhouses [[and stacked townhouses]] shall comply with all of the following requirements.

(1) The bulk regulations contained in the following chart shall be met:

Maximum NET density – not in a redevelopment project under Article 17, Title 7, Subtitle 12	Density may not exceed 12 units per acre in a C1 district, 22 units per acre in a C2 district, or 15 units per acre in a C3 or C4 district; for all other districts, in accordance with the requirements of the district in which the development is located
Maximum NET density – in a redevelopment project under Article 17, Title 7, Subtitle 12 except as provided in subsection (2)	22 units per acre in C1, C2, C3 and C4 districts for all other districts in accordance with the requirements of the district in which the development is located

(6) In addition to the requirements of subsections (1), (2), (3), [[and]] (4), AND (5), the following is required for developments located in an R1, R2, and R5 district:

Maximum coverage by structures AND PARKING	[[75%]] 45% of the gross area of the site; coverage [[shall]] MAY not be based on each individual townhome lot

(7) In addition to the requirements of subsections (1), (2), [[and]] (3), AND (4), the following is required for developments located in an R10, R15, and R22 district:

Maximum coverage by structures AND PARKING	[[75%]] 45% of the gross area of the site; coverage [[shall]] MAY not be based on each individual townhome lot

TITLE 11. REQUIREMENTS FOR SPECIAL EXCEPTION USES

18-11-104. Assisted living facilities.

An assisted living facility shall comply with all of the following requirements.

(6) Assisted care units shall be provided in a multifamily structure and may be provided in SEMI-DETACHED [[duplex]] dwelling units, [[stacked townhouse dwelling units,]] and townhouse dwelling units, whether or not allowed in the zoning district in which the facility is located. All assisted care units shall be located on the same lot. A multifamily structure shall contain a centrally located group dining facility.

(11) The bulk regulations contained in the following chart shall be met and are the only bulk regulations applicable to an assisted living facility:

Minimum setbacks from all lot lines	50 feet
Maximum height limitations for principal structures on lots less than 20 acres	The height allowed in the zoning district in which the facility is located, except that (1) the facility may exceed that height by 10 feet if all setbacks are increased by two feet for each foot of excess height, and (2) SEMI-DETACHED [[duplex, stacked townhouse,]] and townhouse dwellings are limited to one story

Maximum NET density for adult independent dwelling units	One unit per NET acre in an RLD district; 3 units per NET acre in an R1 district; 6 units per NET acre in an R2 district; 8 units per NET acre in an R5 district; and in all other districts in accordance with the density allowed in the district in which the facility is located
Maximum NET density for all dwelling units other than multifamily dwellings and adult independent dwelling units	No increase in the NET density allowed in the RLD district; 6 units per NET acre in the R1 and R2 districts; 8 units per NET acre in an R5 district; and in all other districts in accordance with the density allowed in the district in which the facility is located
Maximum square footage for [[duplex,]] SEMI-DETACHED [[stacked townhouse,]] and townhouse dwellings	1,250 square feet

18-11-124. DWELLINGS, DUPLEX AND SEMI-DETACHED.

A DUPLEX OR SEMI-DETACHED DWELLING SHALL BE IN A CLUSTER DEVELOPMENT IN ACCORDANCE WITH THE REQUIREMENTS OF THE DISTRICT IN WHICH THE USE IS LOCATED.

18-11-134. Mobile home parks.

A mobile home park shall comply with all of the following requirements.

(4) Density OR NET DENSITY may not exceed that which is allowed in the district in which the park is located, except that the density OR NET DENSITY may not in any event exceed seven mobile homes per acre.

(5) At least 15% of the total area of the park shall be devoted to open area.

TITLE 12. SPECIAL USES

18-12-203. Bulk regulations.

(c) **Density.** The density of development in a PUD may not exceed the density allowed by the zoning district in which the development is located. A PUD in a C2 or C3 zoning district may not exceed 15 dwelling units per NET acre.

18-12-701. Moderately priced dwelling units.

A development that includes moderately priced dwelling units under Title 12 of Article 17 of this Code shall qualify for a density bonus by the Planning and Zoning Officer as follows:

(1) Subject to subsection (2):

(i) for developments that include up to 100% allowable density, no additional density;

(ii) for developments that include more than 100% of allowable density up to 115% of the allowable density, [[25%]] 75% of the additional units must be moderately priced dwelling units; and

(iii) for developments achieving greater than 115% of the allowable density, [[25%]] 75% of the additional units between 100% and 115% of allowable density must be moderately priced dwelling units and [[40%]] 90% of the additional units over 115% of allowable density must be moderately priced dwelling units.

(2) (i) In R1 and R2 zoning districts, density [[shall]] MAY not exceed 125% of allowable density.

(ii) In R5, R10, R15, and R22 zoning districts, density [[shall]] MAY not exceed 150% of allowable density.

TITLE 14. OTHER OVERLAYS

18-14-303. Uses.

(c) **Residential use provisions.** [[Multifamily, multiplex, stacked townhouse, and townhouse]] TOWNHOUSE dwelling units are allowed on a property in a commercial revitalization area in any underlying zoning district as follows:

1 (1) Density may not exceed 22 dwelling units for each acre of NET area.

2 ***
3

4
5 (5) [[The height of a multifamily dwelling may not exceed 75 feet.

6
7 (6)] Dwelling units shall be located at least 25 feet from an existing commercial
8 telecommunication facility.

9
10 **18-14-503. Other development provisions.**

11
12 (a) For multifamily, stacked townhouses, and townhouse developments in the BWI
13 Mixed Use Overlay Area, the following bulk regulations shall apply:

14

Maximum NET density for townhouse and stacked townhouse dwellings	22 dwelling units per acre
Maximum NET density for multifamily dwellings	22 dwelling units per acre

15
16 SECTION 3. *And be it further enacted*, That this Ordinance shall take effect 45 days
17 from the date it becomes law.